

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Confocal Imaging Through Thick Dermal Tissue the specification of which

(check one) X is attached hereto.
 _____ was filed on _____ as
 Application Serial No. _____
 and was amended on _____
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specifications, including the claims, as amended by any amendment referred to above. To the best of my knowledge, information and belief the facts stated therein are true.

() I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

() I hereby claim priority benefits under Title 35, United States Code, §119 of any co-pending provisional application(s) or foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

() Prior Foreign Application(s) and Any Priority Claims Priority Claimed
 under 35 U.S.C. §119:

Provisional Appln. <u>60/001,141</u> (Number)	USA (Country)	07/13/95 (Day/Month/Year Filed)	X Yes	No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	Yes	No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Serial No.	Filing Date	(Status: patented, pending, abandoned)
Serial No.	Filing Date	(Status: patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint MARTIN LUKACHER, Registration No., 17,788 and Kenneth J. LuKacher, Registration No. 38,539 with full power of substitution, association and revocation, as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Send all correspondence to Suite 1000, Clinton Square, Rochester, New York 14604-1792.

Please direct all telephone calls to the first named attorney at telephone No. (716) 263-1253 and send all correspondence to the above address.

Full name of sole or first inventor

James M. Zavislan

Inventor's signature

Date

James M. Zavislan

5/17/96

Residence

5 Wandering Trail, Pittsford, NY 14534

Citizenship

USA

Post Office Address

Same

Full name of second inventor

Jay M. Eastman

17 May 96

Inventor's signature

Date

Jay M. Eastman

Residence

70 Van Voorhis Road, Pittsford, NY 14534

Citizenship

USA

Post Office Address

Same

Full name of third inventor

Inventor's signature

Date

Residence

Citizenship

USA

Post Office Address

Same

Full name of fourth inventor

Inventor's signature

Date

Residence

Citizenship

USA

Post Office Address

Same

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

Docket No.
ML-0362C

Serial No.
N/A

Filing Date
Concurrently herewith

Patent No.
N/A

Issue Date
N/A

Applicant/ Patentee: **Zavislan, James M. and Eastman, Jay M.**

Invention: **CONFOCAL IMAGING THROUGH THICK DERMAL TISSUE**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Lucid Technologies, Inc.

ADDRESS OF CONCERN: 235 Middle Rd, Henrietta, NY 14467

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

FULL NAME

ADDRESS

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

FULL NAME

ADDRESS

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

FULL NAME

ADDRESS

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

FULL NAME

ADDRESS

☐

Individual

☐

Small Business Concern

☐

Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

James M. Zavislan

TITLE OF PERSON SIGNING

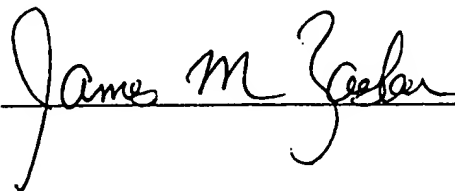
OTHER THAN OWNER:

Vice President

ADDRESS OF PERSON SIGNING:

5 Wandering Trail
Pittsford, New York

SIGNATURE:



DATE:

16 December 1997